IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1546 OF 2007

Shri Bilal Mehdihasan Shaikh. ...Applicant.

Versus

The State of Maharashtra ...Respondent.

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Mr.Mahesh R. Patil, Adv. for the Applicant.
Mr.V.B.Konde-Deshmukh, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 4th May, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking bail in C.R.No.170 of 2006 of Charkop Police Station. The said case is under Section 302 of IPC.

3. The only material against the applicant is that he was seen going out of the house of the deceased in the night of 12th November, 2006. Thereafter, on 14th November, 2006 foul smell was coming out of the room of the deceased and when the police entered into the house, the deceased

Chand Badsha Shaikh was found dead. It is seen that the house of the deceased had two doors i.e. a front door as well as a back door and when the police entered the house the door was in a open condition. In such circumstances, I find much merit in the submission that the solitary circumstance of the accused being seen coming out of the house of the deceased is not enough to connect the accused with the murder.

4. In this view of the matter, I am inclined to grant bail to the applicant.

5. The applicant - Bilal Mehdihasan Shaikh to be released on bail in the sum of Rs.20,000/- with one or two sureties to make up the said amount. The sureties shall be local sureties. The applicant shall report to Charkop Police Station once in a week, till conclusion of the trial.

6. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)